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PATENT 15W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent Application of

Kevin P. Connors et al.

Application No.: 10/789,139

Filed: February 27, 2004

For: SYSTEM AND METHOD FOR
HEATING SKIN USING LIGHT TO
PROVIDE TISSUE TREATMENT

Confirmation No.: 9270

Group Art Unit: 3739

Examiner: Unknown

**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT**

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M/S AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in an
envelope, addressed to: Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450 on Dec 23, 2004.

STALLMAN & POLLOCK LLP

Dated: 12/23/2004

By:

Georgia K. Stith

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

An effort has been made to provide the Examiner with material references. This effort has resulted in a relatively long list of references. These references include both the references listed in attached PTO-1449 form, and the references listed in the previous PTO-1449 form previously submitted in connection with the present application. Given the number of references provided in PTO-1449 forms, some selected references from the submitted PTO-1449 forms are shown in the shortened list immediately following this paragraph. This shortened list is not meant to exclude other references from consideration, and indeed should not be taken as a

Atty Docket No.: ALTU-1110

representation that other references identified in the submitted PTO-1449 forms are less material. However, as of the time of submission of the this Information Disclosure Statement, the references shown in the list below are believed by the undersigned to be worthy of highlighting by identification in this shorter list.

- US Patent 5,405,368, inventor Eckhouse; additional references are shown in the submitted PTO-1449 forms as having Eckhouse as an inventor, and these references are believed to be possibly significant, and collectively these other references should be considered as part of this shorter list.
- US Patent 5,660,836, inventor Knowlton; additional references are shown in the submitted PTO-1449 forms as having Knowlton as an inventor, and these references are believed to be possibly significant, and collectively these other references should be considered as part of this shorter list.
- US Patent 5,735,844, inventor Anderson; additional other references are shown in the submitted PTO-1449 forms as having Anderson as an inventor, and these references are believed to be possibly significant, and collectively these other references should be considered as part of this shorter list.
- US Patent No. 5,885,274, inventor Fullmer.
- US Patent Application 2002/0173780 A1, inventor Altshuler; additional references are shown in the submitted PTO-1449 forms as having Altshuler as an inventor, and these references are believed to be possibly significant, and collectively these other references should be considered as part of this shorter list.
- US Patent Application 2003/0057875 A1, inventor Inochkin et al.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.

- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.
- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted below.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they: (a) are either U.S. Patents or published U.S. patent applications; (b) are a U.S. patent application, the image of which is stored in the USPTO's file wrapper (IFW) system; or (c) were previously cited by or submitted to the Office in a prior application no. _____, filed _____, and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (h) ☒ not given
- (i) ☐ given for each listed item
- (j) ☐ given for only non-English language listed item(s) [Required]
- (k) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.


- ☒ The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. ALTU-1110, for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the

above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: December 22, 2004

By: 
Brian J. Keating
Reg. No. 39,520

Attorneys for Applicant(s)



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)

ALTU-1110

Application Number

10/789,139

Applicant(s)

Kevin P. Connors et al.

Filing Date

February 27, 2004

Group Art Unit

Unknown

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*AA	3,538,919	11/10/1970	Meyer	606	36	04/07/1967
	*AB	3,834,391	09/10/1974	Block	606	9	01/19/1973
	*AC	3,900,034	08/19/1975	Katz et al.	607	89	04/10/1974
	*AD	4,122,853	10/31/1978	Smith	606	4	03/14/1977
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	*AF	4,461,294	07/24/1984	Baron	606	5	01/20/1982
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	*AH	4,733,660	03/29/1988	Itzkan	606	9	12/10/1986
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	*BR	6,280,438	08/28/2001	Eckhouse et al.	606	9	08/18/1997

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) ALTU-1110	Application Number 10/789,139
	Applicant(s) Kevin P. Connors et al.	
	Filing Date February 27, 2004	Group Art Unit Unknown

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
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	DA	WO 99/11324	03/11/1999	PCT	A61F	5/06		
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	DD	GB 2 360 946 A	10/10/2001	United Kingdom	A61N	5/01		

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	DF	J.C. Allain et al., "Isometric Tensions Developed During the Hydrothermal Swelling of Rat Skin," <i>Connective Tissue Research</i> , Vol. 7, pp. 127-133 (1980).
	DG	R.R. Anderson, "Clinical Use of the Lightsheer Diode Laser System," (reprinted with permission from Harvard Medical School, March 1998) from the website located at http://www.lasertraining.com/med-8.htm , printed 9/15/98, 5 pages long.
	DH	R.R. Anderson et al., <i>International Advances in Surgical Oncology</i> (Volume 5), section entitled "Lasers in Dermatology Provide a Model for Exposing New Applications in Surgical Oncology," publisher Alan R. Liss, Inc. (1982), pp. 341-358.
	DI	R.R. Anderson, Brochure by Palomar Medical Technologies, Inc., "A Clinical Study on Ruby Lasers for Permanent Hair Reduction," 8 pages in length (1999)
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	DL	R.R. Anderson, "Clinical Use of the EpiLaser® System," 8 pages in length (1998).
	DM	G.B. Bartley et al., "An Experimental Study to Compare Methods of Eyelash Ablation," <i>Ophthalmology</i> , Vol. 94, pp. 1286-1289 (1987).
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	DP	C. Chess et al., "Cool Laser Optics Treatment of Large Telangiectasia of the Lower Extremities," <i>J. Dermatol. Surg. Oncol.</i> , Vol. 19, pp. 74-80 (1993).
	DQ	W.F. Coulson et al., "Nonablative Laser Treatment of Facial Rhytides: Animal Study," <i>Abstract of BiOS '98 Symposium [Cutaneous Applications of Lasers]</i> , 24-30 January 1998 in San Jose, CA, one page in length.
	DR	C.C. Danielsen, "Age-related thermal stability and susceptibility to proteolysis of rat bone collagen," <i>Biochem J.</i> , Vol. 272, No. 3, 1990 Dec. 15, pp. 697-701.
	DS	C.C. Danielsen, "Thermal Stability of Reconstituted Collagen Fibrils, Shrinkage Characteristics upon <i>In Vitro</i> Maturation, <i>Mechanisms of Ageing and Development</i> , Vol. 15, pp. 269-278 (1981).
	DT	J.S. Dover et al., "Pigmented Guinea Pig Skin Irradiated With Q-Switched Ruby Laser Pulses," <i>Arch. Dermatol.</i> , Vol. 125, Jan. 1989, pp. 43-49.

Examiner	Date Considered
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(Including Author, Title, Date, Pertinent Pages, Etc.)

DU	L.H. Finkelstein et al., "Epilation of Hair-Bearing Urethral Grafts Using the Neodymium:YAG Surgical Laser," <i>J. Urology</i> , Vol. 146, pp. 840-842 (1991).
DV	R. Fitzpatrick, "Treatment of Wrinkles with the UltraPulse CO ₂ Laser," 3 pages in length.
DW	L. Goldman, "Comparison of the Biomedical Effects of the Exposure of Human Tissues to Low and High Energy Lasers," <i>Ann. N.Y. Acad. Sci.</i> , Vol. 122, 1965 May 29, 1965, pp. 802-833.
DX	"Laser Surgery of Angiomas with Special Reference to Port-Wine Angiomas," <i>AMA Association</i> , June 18-22, 1967, 8 pages in length.
DY	J.M. Grevelink et al., "Clinical and Histological Responses of Congenital Melanocytic Nevi After Single Treatment With Q-Switched Lasers," <i>Arch. Dermatol.</i> , Vol. 133, Mar. 1997, pp. 349-353.
DZ	M.D. Grossman et al., "Prospective Evaluation of the Argon Laser in the Treatment of Trichiasis," <i>Ophthalmic Surgery</i> , Vol. 23, pp. 183-187 (1992).
EA	M.D. Grossman et al., "Experimental Comparison of Laser and Cryosurgical Cilia Destruction," <i>Ophthalmic Surgery</i> , Vol. 23, pp. 179-182 (1992).
EB	K. Kincade, "Demand for Laser Resurfacing Soars," <i>Dermatology Times</i> , Vol. 16, No. 10, October 1995, 4 pages in length.
EC	P. Kronick et al., "The Locations of Collagens with Different Thermal Stabilities in Fibrils of Bovine Reticular Dermis," <i>Connective Tissue Research</i> , Vol. 18, pp. 123-134 (1988).
ED	J.G. Kuhns et al., "Laser Injury in Skin," <i>Laboratory Investigations</i> , Vol. 17, No. 1, pp. 1-13 (1967).
EE	D.B. Kuriloff et al., "Pharyngoesophageal hair growth: The role of laser epilation," <i>Case Reports</i> , Vol. 98, pp. 342-345 (1988).
EF	J.R. Lloyd et al., "Selective Photothermolysis of the Sebaceous Glands for Acne Treatment," <i>Lasers in Surgery and Medicine</i> , Vol. 31, pp. 115-120 (2002).
EG	M.A. Mainster, "Ophthalmic applications of infrared lasers—thermal considerations," <i>Invest. Ophthalmol. Visual Sci.</i> , Vol. 18, No. 4, April 1979, pp.414-420.
EH	T. Matsumoto et al., "Ruby Laser Treatment of Melanin Pigmented Skin Lesions using Toshiba Model LRT—301A Ruby Laser," <i>Journal of the Japanese Society for Laser Surgery and Medicine</i> , Vol. 10, No. 3, Dec. 1989, pp. 451-454.
EI	J.B. Murdoch, <u>Illumination Engineering -- From Edison's Lamp to the Laser</u> , Chapt. 6.8 entitled "Tungsten-Halogen Lamps," published by Macmillan Publishing Company (1985), pp. 208-211.
EJ	M.H. Niemz, <u>Laser-Tissue Interactions Fundamentals and Applications</u> , Chapt. 3.2.3 entitled "Heat Effects," published by Springer-Verlag Berlin Heidelberg (1996), pp. 77-80.
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EO	D.Y. Paithankar et al., "Acne Treatment With a 1,450 nm Wavelength Laser and Cryogen Spray Cooling," <i>Lasers in Surgery and Medicine</i> , Vol. 31, pp. 106-114 (2002).
EP	J.A. Pearce et al., "Kinetic Models of Laser-Tissue Fusion Processes," <i>Biomed. Sci. Instrum.</i> , Vol. 29, pp. 355-360 (1993).
EQ	L.L. Polla et al., "Melanosomes Are a Primary Target of Q-Switched Ruby Laser Irradiation in Guinea Pig Skin," <i>The Journal of Investigative Dermatology</i> , Vol. 89, No. 3, September 1987, pp. 281-286.

Examiner	Date Considered
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OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

	ER	Press Release, "New Laser Eliminates 'Lipstick Bleed,'" 3 pages in length.
	ES	J. Ruiz-Esparza et al., "Nonablative Radiofrequency for Active Acne Vulgaris: The use of Deep Dermal Heat in the Treatment of Moderate to Severe Active Acne Vulgaris (Thermotherapy): A Report of 22 Patients," <i>Dermatol Surg.</i> , Vol. 29, No. 4, April 2003, pp. 333-339.
	ET	Spectrum Medical Technologies, Inc., an operator's manual written by Lasermetrics, Inc., exclusively for Spectrum Medical Technologies, Inc., "Q-Switched Ruby Laser System Model RD-1200, 23 pages in length.
	EU	E.R. Squibb & Sons, "Lasers Light the Way to New Research Concepts in Science Industry Medicine," 33 pages in length.
	EV	R. Tanino et al., "Development of Ruby Laser System for Medical Use," <i>Journal of the Japanese Society for Laser Surgery and Medicine</i> , Vol. 11, No. 4, 4 March 1991, pp. 93-98.
	EW	K. Iwasaki et al., (Abstract) "Development of Laser Systems for Treatment of Hyperpigmented Skin Lesions," <i>Publication unknown - entire article is in Japanese except for the Abstract</i> , revised March 1, 1989, pp. 26-34 (Abstract appears on page 34).
	EX	Brochure by Palomar EsteLux TM , "Pulsed-Light System," website http://www.palmed.com/laser_estelux.html , printed July 15, 2003, 3 pages in length.
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